

Kyrgyzstan

by Erica Marat

Capital: Bishkek
Population: 5.8 million
GNI/capita, PPP: US\$3,220

Source: World Bank *World Development Indicators*.

Nations in Transit Ratings and Averaged Scores

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
National Democratic Governance	6.00	6.25	6.50	6.75	6.50	6.50	6.50	6.50	6.50	6.50
Electoral Process	5.75	6.00	6.00	6.25	6.00	5.50	5.50	5.50	5.50	5.25
Civil Society	4.50	4.50	4.75	5.00	4.75	4.75	4.75	4.50	4.75	4.75
Independent Media	5.75	6.00	6.25	6.50	6.50	6.25	6.25	6.00	6.00	6.00
Local Democratic Governance	6.25	6.50	6.50	6.50	6.50	6.50	6.25	6.25	6.25	6.25
Judicial Framework and Independence	5.50	6.00	6.00	6.00	6.25	6.25	6.25	6.25	6.25	6.25
Corruption	6.00	6.25	6.25	6.50	6.25	6.25	6.25	6.25	6.25	6.25
Democracy Score	5.68	5.93	6.04	6.21	6.11	6.00	5.96	5.89	5.93	5.89

NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. If consensus cannot be reached, Freedom House is responsible for the final ratings. The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year. The opinions expressed in this report are those of the author(s).

EXECUTIVE SUMMARY

In 2015, Kyrgyzstan experienced mixed developments, some nudging the country toward democratization, others pulling it toward greater authoritarianism. The outgoing parliament came to the verge of banning “gay propaganda” and regulating “foreign agents” with legislation mimicking laws passed in Russia in 2012 and 2013. Nevertheless, the October parliamentary elections were marked by a high degree of political competition and unpredictability. In a region notorious for autocratic leadership, these elections stand out as an important shift toward greater political dynamism. Civil society groups played a key role in observing the election process, raising the alarm when suspecting fraud. In general, however, the government continued its attempts to curb nongovernmental organization (NGO) activity and rein in individual activists. Mass media remains generally dynamic, despite cases of government pressure. Judicial sector reforms have achieved some modest results, but courts are still used as a weapon to silence government critics.

The October 4 parliamentary elections marked Kyrgyzstan’s progression toward a more competitive political landscape. President Almazbek Atambayev’s Social Democratic Party of Kyrgyzstan (SDPK) won a plurality of the vote but faced a stronger challenge than many expected from popular opposition parties. Fourteen parties competed, and six were able to surpass national and regional thresholds and secure seats. In the run-up to election day, political parties participated in heated televised debates and engaged in active campaigning across the country. The new parliament includes slightly more female deputies with strong backgrounds in politics.

The elections also underscored shortcomings in Kyrgyzstan’s electoral process. Political parties often relied on party members’ local popularity to attract votes, as opposed to policies and political platforms. Furthermore, the government required voters to submit biometric data before they were allowed to cast their votes. The decision was explained as being in line with government efforts to create a verifiable database of voters and reduce fraud during elections, but only a little over a year’s time was allocated for data collection inside the country. Cases of busing and bribing voters were reported on election day.

The judicial sector continues to serve the interests of political elites and to selectively prosecute government critics or outspoken community leaders. One such example is the popular imam Rashod Kamalov, who was arrested in February and charged with extremism. Judicial reform, initiated four years ago by former president Roza Otunbayeva, has been progressing slowly. It is still left to the new parliament to vote on legislation increasing the independence of courts and introducing mechanisms to protect the rights of detainees. However, as a sign of how far judicial independence still has to go, the Constitutional Chamber suspended one of its members who had conducted an investigation into the legality of the government’s decision to collect biometric data. The suspension was apparently retaliation for contradicting the government’s stance.

Civil society and mass media continue to be dynamic in Kyrgyzstan, albeit centered mostly in the capital city, Bishkek. In 2015, NGOs played a central role in electoral oversight. Several prominent NGO activists have independently reported on key aspects of the electoral process. Yet, Kyrgyzstan has seen the rise of extreme nationalist movements that seek to defend the influence of the Kyrgyz ethnic group through violent means. The government to date has failed to counter such movements systematically, instead offering only sporadic resistance and criticism. The outgoing parliament did abstain from adopting a controversial initiative that would limit civic activism by labeling NGOs that receive funding from outside sources as “foreign agents” and imposing burdensome reporting requirements on them.

The government continues to implement ad hoc measures to prosecute corrupt officials. Notably, President Atambayev’s fight against corruption has touched members of almost every political party while largely avoiding his own. In October, Atambayev sacked Minister of Defense Abibilla Kudaiberdiyev for alleged involvement in corruption and embezzlement on the basis of an investigation by the Anti-Corruption Service and the Prosecutor General. The only exception to the pattern in 2015 was a case opened against Daniyar Narymbayev, Chief of Staff in Atambayev’s administration, who is

accused of extortion in a case involving Ata Jurt deputy Khadjimurat Korkmazov. In February, a disagreement with the administration led to the resignation of Prosecutor General Aida Salyanova. According to Salyanova, progovernment media tried to undermine her public image by accusing her husband of corruption. She also said that she and her relatives had received death threats.

In 2015, Kyrgyzstan moved closer into the Russian orbit by joining the Eurasian Economic Union (EEU). While it is too early to measure the net impact of EEU membership, some entrepreneurs in Bishkek have already complained about declining export opportunities to Kazakhstan and Russia. Furthermore, the government has been unable to efficiently manage the economic turbulence caused by Western sanctions against Russia.

In July, the Kyrgyz Ministry of Foreign Affairs canceled the 1993 cooperation treaty with the United States to protest a State Department award to imprisoned ethnic Uzbek human rights activist Azimjon Askarov. Atambayev's administration has been reluctant to actively address issues of interethnic reconciliation lingering since the four-day wave of ethnic violence in June 2010. On its fifth anniversary, the president offered little solace to the victims of violence, mostly ethnic Uzbeks, and the perpetrators have still not been brought to justice.

Score Changes:

- **Electoral Process rating improved from 5.50 to 5.25** due to a parliamentary election that delivered legitimate nationwide results, despite some irregularities in the electoral environment and on election day.

As a result, Kyrgyzstan's Democracy Score improved from 5.93 to 5.89.

Outlook for 2016: The new parliament will begin its work in 2016 in the shadow of a lame-duck President Atambayev, who must step down in 2017 due to term limits. Omurbek Babanov, founder and leader of Respublika and a young and charismatic entrepreneur, is seen as a likely presidential candidate, and his maneuvering for the presidency will be a major political topic in 2016. The new parliament may also be more engaged with issues of immediate national importance, such as the economy and security.

Meanwhile, the government faces a grim economic outlook. The slide of the som against the U.S. dollar, shrinking migrant worker remittances, and the slowing economies in Russia and China may all undermine Kyrgyzstan's economy in 2016. Prime Minister Temir Sariyev will face both the formidable challenge of designing the right policies to respond to multiple economic crises and the possibility of rising populist opposition due to the slowing economy. Yet, despite the dire economic conditions, the parliament is likely to devote considerable time to controversial legislative initiatives on "gay propaganda" and "foreign agents" that encroach on civil liberties.

MAIN REPORT

National Democratic Governance

2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
6.00	6.25	6.50	6.75	6.50	6.50	6.50	6.50	6.50	6.50

- The October parliamentary elections—the first since the adoption of a new constitution in 2010 that sought to strengthen the parliament and avoid the emergence of individual strongmen in the presidential office—demonstrated the viability of the new system. Since his election in 2011, President Almazbek Atambayev had gathered power by exerting influence through his Social Democratic Party of Kyrgyzstan (SDPK) and by appointing favorable candidates to key government positions. Yet, despite Atambayev's overwhelming influence on state media and the public sector, the SDPK gathered only 27.6 percent of the vote, far short of the outright majority it had hoped for.¹ With his single constitutionally permitted term expiring in 2017, Atambayev is entering a lame-duck period and is likely to face more opposition from both the parliament and the government. The majority coalition formed in October includes SDPK (38 seats), Kyrgyzstan (18 seats), Onuguu-Progress (13 seats), and Ata Meken (11 seats).² It reconfirmed Temir Sariyev as prime minister, as well as most other members of the previous ministerial cabinet.³ All parties from the previous parliament cleared the 7 percent national threshold except for Ar-Namys, which fell victim to deep internal splits. As the second-most numerous faction after SDPK, Respublika-Ata Jurt (28 seats), a marriage of convenience between two disparate opposition parties, is still likely to play a significant role in the parliament. The other opposition party, Bir Bol, secured 12 seats.
- In July, the Kyrgyz Ministry of Foreign Affairs canceled a 1993 cooperation treaty with the United States to protest the State Department's presentation of a human rights defender award to imprisoned activist Azimjon Askarov. Askarov was convicted of the murder of a police officer during the June 2010 interethnic violence in southern Kyrgyzstan, and his case has been the subject of years of campaigning by domestic and international human rights organizations that claim he was not afforded a fair trial and was tortured in detention. The activist's ethnic Uzbek background has played a central role in the conflicts over his case. In an official statement, the Kyrgyz government accused the United States of attempting to destabilize the domestic situation.⁴
- In August, Kyrgyzstan joined the Russia-led Eurasian Economic Union (EEU) despite strong opposition among some entrepreneurs who thought the move brought greater dependence on Russia.⁵ The accession was yet another sign of the country's close alignment with Russia, as the economic argument for Kyrgyzstan's membership was mixed at best.⁶ Despite the union, border checkpoints with Kazakhstan continued operating largely according to previous regulations,⁷ and Kyrgyzstan's year-on-year trade with EEU countries decreased amid the overall economic downturn in Russia and the EEU. According to government data, trade volumes between Kyrgyzstan and Kazakhstan decreased by half, while Kazakhstan has eclipsed Kyrgyzstan as a transit country for Chinese goods.⁸ The latter development hurts the bazaar economy in Kyrgyzstan, which depends on the re-export of Chinese goods and employs hundreds of thousands of workers.
- The second half of the year saw a dramatic increase in violent clashes with alleged terrorists. In August, an operation involving dozens of special forces killed four individuals hiding in a house in central Bishkek. The security services identified them as Islamic State (ISIS) militants.⁹ In October, police and security forces chased nine escaped prisoners allegedly belonging to religious terrorist organizations.¹⁰ Four prison guards were killed during the breakout. Five of the escapees were captured immediately, with three of them later found dead in custody in suspicious circumstances.¹¹ Three other escapees were killed during violent showdowns with the police, and the remaining one was detained. Kyrgyz security services claim the criminals were also ISIS supporters.

- The Kumtor mine in eastern Kyrgyzstan, operated by the Canadian firm Centerra Gold, remains a significant point of contention and continues to be surrounded by allegations of corruption. Kyrgyzstan wants to increase its stake in the mine to 50 percent from the current 32.7 percent, but the government again withdrew from the negotiations in December, citing “unacceptable conditions.”¹² Centerra Gold secured a favorable deal during the Akayev years that was renegotiated without much change for Kyrgyzstan under Bakiyev in 2009. It is widely believed that both presidents reaped personal benefits from these deals. Kyrgyzstan’s constant change of prime ministers since 2010 has contributed to uncertainty in the Kumtor negotiations.
- Atambayev’s administration and the government in general continue to ignore the complaints of ethnic minorities. In a June speech dedicated to the five-year anniversary of the 2010 ethnic violence, Atambayev implied that atrocities committed by law-enforcement agencies against ethnic minorities during the conflict were inevitable.¹³ He additionally acknowledged that the government has not yet designed mechanisms to recruit ethnic minorities in the public sector. National standardized tests for admission to university (ORT) are administered only in Russian and Kyrgyz since 2013, and the government is generally reluctant to design inclusive policies.

Electoral Process

2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
5.75	6.00	6.00	6.25	6.00	5.50	5.50	5.50	5.50	5.25

- The October 4 parliamentary elections demonstrated improvements in the electoral framework since the last round of national elections in 2010–11. The reforms created a highly competitive environment for participating political parties, while the winners insisted that the results mirrored public sentiment. For the first time in a Central Asian election, the party supporting the incumbent president gained less than a third of the seats in the new parliament. Foreign observers from the OSCE Office of Democratic Institutions and Human Rights (OSCE ODIHR) and the Council of Europe were present during the election and praised the quality of the electoral process, while highlighting problems with the collection of biometric data and ballot secrecy.¹⁴
- Despite creating a fairer environment for political competition, the electoral system still exhibits serious problems in terms of transparency, voter lists, and potential for corruption and patronage. There were anecdotal cases of fraud reported on election day, although fewer than in years past and no single party appeared to benefit disproportionately. These included allegations of manipulating electronic ballots, as well as busing and bribing voters.
- In order to address widespread fraud documented in previous elections, the government required voters to submit biometric data (fingerprints). However, due to the short time allocated for collection and the lack of registration facilities outside Kyrgyzstan, hundreds of thousands of labor migrants—residing primarily in Russia, Kazakhstan, and the United States—failed to register. As a result, the number of migrants voting in the election declined further from already low rates. According to the OSCE, only 15,322 Kyrgyz citizens living abroad submitted their biometric data ahead of the elections.¹⁵ The work of the Central Elections Commission (CEC) was mostly free of government pressure, but civil society groups reported instances of abuse of power by the CEC itself. For instance, without conducting an investigation or securing a court decision, the CEC disqualified Kamchybek Tashiev, co-leader of the opposition Respublika-Ata Jurt party, one week before the elections after he allegedly hit a member of the Onuguu-Progress party. Tashiev denied he had hit the candidate.¹⁶
- To earn representation, the parties had to overcome two thresholds: 7 percent nationwide and at least 0.7 percent in each of the seven regions. A total of 59 percent of the voting population cast votes, and 14 parties competed.¹⁷ Of the six parties that cleared the thresholds, no party received more than 27

percent of the vote. Despite the legally required gender quotas, none of the parties actively sought to ensure the adequate representation of women.¹⁸ The new parliament does not meet the 30-percent quota set for women and ethnic minorities, respectively. While it is difficult to estimate the share of ethnic minorities just based on MPs' last names, the percentage of female deputies grew from 17 percent to 19 percent.¹⁹

- The election also revealed some inconsistencies in Kyrgyzstan's electoral law. The regional threshold forces parties to run candidates in every region, which makes it harder to consolidate around political ideas. Although elections are intended to be proportional and based on voting for lists, parties ran candidates de facto for individual mandates and familiarized voters with party members more than party platforms.²⁰ After the elections, parties replaced members at the top of their lists with those who gained the most support in their assigned districts, which among other things effectively undermined the gender and minority quotas. The Respublika-Ata Jurt and Ata Meken parties, in particular, changed a large part of their lists.²¹
- The election was the country's most expensive to date. According to the newspaper *Tazabek*, the average cost of each seat in the parliament amounted to more than 5 million soms (roughly \$72,000), with Onuguu-Progress, which gained about nine seats, spending the most—over 9 million soms per seat (roughly \$129,500).²² SDPK reportedly spent about half the amount per candidate, saving money perhaps thanks to its more favorable and frequent coverage in state media. Most parties raised funds through contributions from their richest members. According to one former MP, places on parliamentary lists are often bought for as much as \$300,000.²³ Activists warn that such high spending will inevitably cause members of parliament (MPs) to attempt to earn back their investment through insider deals.²⁴

Civil Society

2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
4.50	4.50	4.75	5.00	4.75	4.75	4.75	4.50	4.75	4.75

- NGOs played a central role in the oversight of the October parliamentary elections, with several organizations monitoring the process.²⁵ During the campaign, civil society experts openly criticized government policies. Civil rights activist and lawyer Nurbek Toktakunov criticized President Atambayev for accusing NGOs of trying to destabilize the situation ahead of the elections.²⁶ According to Toktakunov, the president has tried to silence criticism of the government's decision to collect biometric data ahead of elections. Together with NGO activist Toktaim Umetalieva and members of the legal clinic Adilet, Toktakunov filed a claim in the Constitutional Chamber in June.²⁷
- In the past two years, Kyrgyzstan has seen the rise of an extreme nationalist movement, Kalys, and a nationalist militia group, Kyrk Choro (Forty Knights), who claim to defend the Kyrgyz ethnic group through violent means. These groups are marginal and are not a threat to democratic values on the national level. However, to date, the government has failed to counter such movements systematically and consistently. Kalys is notorious for its hate speech against LGBT communities, anti-Western views, and calls for Kyrgyzstan to become an "Islamic society."²⁸ Its members are not Islamist radicals but, rather, tend to be Kyrgyz traditionalist nationalists.
- On May 17, members of both Kalys and Kyrk Choro barged into the office of Labrys, a group defending LGBT rights, and disrupted an event celebrating the International Day against Homophobia and Transphobia.²⁹ Police took members of the extremist organizations as well as Labrys activists to the station for statements.³⁰ According to one Labrys activist, while detained at a local police precinct, they encountered both friendly and "aggressive" attitudes from policemen. Members of Kalys and Kyrk Choro, in the meantime, enjoyed a friendlier attitude from the police.³¹ A criminal case of hooliganism was opened against the attackers, but the case was stalled as of the end of 2015.³²

- In a trend that continued from 2014, human rights activists faced increasing pressure from the government in 2015.³³ Nurbek Toktakunov, mentioned above, was harassed with surreptitiously recorded videos that show him meeting with United States diplomats in his office.³⁴ The State Committee on National Security (GKNB) has emerged as the lead agency to silence activists, and in 2014–15, two human rights activists were forced to leave Kyrgyzstan after clashing with the agency.³⁵ In March, the GKNB searched the offices of the NGO Bir Duino–Kyrgyzstan in Osh following the detention and deportation of a foreign journalist who had met with the organization’s lawyers.³⁶ The GKNB accused Bir Duino’s lawyers of inciting religious extremism in a case relating to the defense of a prominent imam, Rashod Kamalov, who was arrested in February. In May, the Osh city court found the GKNB’s actions against Bir Duino–Kyrgyzstan illegal and ordered the committee to return any material seized from the NGO’s office.³⁷
- The prosecution of Kamalov is part of a larger trend in Kyrgyzstan whereby security services are quick to play the “radicalism” card. In October, Kamalov was sentenced to five years in prison on charges of supporting extremism and distributing extremist religious material.³⁸ The four-month-long trial was marred by serious irregularities, and Kamalov’s defense team plans to appeal the case.³⁹ In November, the judge added five years to his sentence (for a total of 10 years) after the prosecution requested the court to consider the additional charge of “exploiting his workplace privileges.”⁴⁰
- In a stark reminder of the authoritarian years under Bakiyev, the Kyrgyz Immigration Service banned Human Rights Watch representative Mihra Rittmann from entering the country in December.⁴¹ The Kyrgyz authorities allege that Rittmann violated immigration laws, but they had failed to provide any details by year’s end. Rittmann, a U.S. national, is known for years of work in the human rights field in Kyrgyzstan. According to her colleagues from the human rights community in Bishkek, Rittmann’s work is closely monitored by law-enforcement agencies.⁴²
- The government, parliament, and president all made moves to bring Kyrgyzstan closer to Russia in its treatment of civil society. Legislation modeled on Russia’s initiatives banning “gay propaganda” and labeling NGOs that receive foreign funding as “foreign agents” was a major topic for much of the year in the pre-October parliament, but it did not pass all the way to presidential signature.⁴³ In June, the parliament moved the bill that would punish “propaganda of non-traditional sexual orientation” through its second of three required readings.⁴⁴ Whether the new parliament will decide to take the legislation up again remains to be seen. In December, the parliamentary Committee on Education, Science, Culture, Information, and Religious Affairs approved amendments to the “Law on the freedom of faith-based and religious organizations in the Kyrgyz Republic.”⁴⁵ If the parliament approves the bill, the resulting law will significantly restrict the activities of all religious groups with the exception of the *muftiat*, or Spiritual Administration of Muslims of Kyrgyzstan, and the Russian Orthodox Church.

Independent Media

2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
5.75	6.00	6.25	6.50	6.50	6.25	6.25	6.00	6.00	6.00

- Efforts continue to ensure the independence of the national TV and radio networks, but both still avoid open criticism of the president and his party. During the electoral campaign, the national TV channel KTRK (Public Teleradio Corporation) heavily promoted the president’s party, the SDPK, while other parties received less and frequently unfavorable coverage. KTRK similarly reported on Atambayev’s daily activities, presenting them in a positive light, including on the day before the elections when political parties were required to stop campaigning.⁴⁶ The general manager of KTRK, Ilim Karybekov, frequently responds to public criticism by explaining how the outlet is striving to

maintain balanced reporting.⁴⁷ Although KTRK is more transparent than it was a few years ago, it still falls short of objective journalism and fails to provide critical views on government policies.

- After a lengthy legal battle over ownership rights, the country's leading Russian-language outlet, *Vecherniy Bishkek*, lost its commercial independence. Following a Bishkek city court decision in August, 65 percent of the newspaper's shares and 50 percent of an affiliated advertising company were transferred to the paper's former owners, Alexander and Galina Ryabushkin. According to the newspaper's previous employees, both have close ties to President Atambayev.⁴⁸ The paper had been the subject of political attacks, including from KTRK and President Atambayev himself, prior to the decision.⁴⁹ After the court's decision, the core of the newspaper's editorial team left to start a new online outlet, Zanoza.kg. Since the acquisition, *Vecherniy Bishkek*'s coverage has become more focused on human-interest stories, as opposed to political reporting. Zanoza.kg, on the other hand, has emerged as one of the most vocal critics of the current government.
- Online media continue to be mostly free of government control and feature a wide spectrum of debates on political and social issues. The most popular online media include Kloop.kg and Azattyk.kg, which feature diverse opinions and innovative journalistic coverage. AKIpress.kg and 24.kg are also among the leading online news providers, though they rarely publish analytical and investigative pieces. In addition, citizen journalists sometimes expose abuse of power or corruption where traditional media fail to do so. Videotapes of police personnel breaking the law by extorting a bribe or parking illegally have become a popular frequent genre of online activism.⁵⁰
- Internet penetration continues to grow in Kyrgyzstan, and according to the latest figures, 43.7 percent of the population has access to the internet. The capital Bishkek has the highest concentration of internet users, with 70 percent of residents having regular online access. Some 90 percent of the country's territory has a mobile connection, and there are over 7 million mobile phone accounts, a level exceeding the national population.⁵¹

Local Democratic Governance

2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
6.25	6.50	6.50	6.50	6.50	6.50	6.25	6.25	6.25	6.25

- Although local governments have become more independent from Bishkek since the nationwide local elections of 2012, their efficiency and professionalism have not improved. Local political party representatives lack experience with public service, and local bureaucrats have little financial capacity to implement policy or respond to their constituents' concerns. Moreover, there is virtually no horizontal communication among local governments, even within the same or neighboring regions, or oblasts.
- The situation on the Kyrgyzstan-Tajikistan border continues to be tense. Throughout 2015, there were multiple reports of skirmishes between the civilian population and local authorities, as well as between Kyrgyz and Tajik border guards.⁵² In July, Kyrgyz border guards opened fire on a car illegally crossing the border from Tajikistan, killing one Tajik citizen.⁵³ The incident led to a physical brawl between Kyrgyz and Tajik border guards. On the Kyrgyzstani side, representatives of Batken Oblast's Interior Ministry, in conjunction with the State Border Service, closely monitor incidents along the border.
- The State Agency on Local Government and Interethnic Relations continues to implement projects on ethnic reconciliation thanks in large part to support from international donors. They provide publication guidance on interethnic relations for Islamic clergy,⁵⁴ hold meetings with local councils on civic rights and tolerance,⁵⁵ and create special local groups that promote tolerance.⁵⁶ The impact of the agency's work is hard to measure since it tries to tame divisive nationalistic rhetoric through long-term engagement with local communities. The agency is trying to expand its work nationwide,

beyond the ongoing tensions between ethnic Kyrgyz and Uzbek groups in southern Kyrgyzstan. The agency's work is also in line with goals for interethnic reconciliation set out by the Concept for the Development of National Unity and Inter-Ethnic Relations in the Kyrgyz Republic.

Judicial Framework and Independence

2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
5.50	6.00	6.00	6.00	6.25	6.25	6.25	6.25	6.25	6.25

- Reform of the judicial sector started in 2011 under interim president Roza Otunbayeva but is progressing slowly. Certain reforms initiated in the first two years—the creation of the Constitutional Chamber to replace a corrupt Supreme Court and new procedures for the selection of judges—have been implemented, but for the past two years further changes have been stalled. The two-year-long public discussion phase, involving donor organizations, MPs, and civil society groups, concluded on September 30 with a special meeting convened by President Atambayev.
- The new parliament will now face the task of adopting a series of bills that would increase the independence of the judicial branch.⁵⁷ The new legislation would create a system of probation during which a convicted person is transferred under supervision of the relevant authorities and would introduce plea deals and reconciliation procedures. It would also simplify trial procedures, introduce legal protections for people under criminal investigation, decriminalize certain illegal behaviors, and reduce jail sentences. Civil society activists, however, continued to criticize the government and parliament for their attempts to sabotage the reform in order to ensure that their political interests remain protected through a loyal legislature.⁵⁸
- A key case relating to the government's decision to collect biometric data for voter registration underlined questions about the independence of the judiciary. After civic activists filed suit against the plan in November 2014, a member of the Constitutional Chamber, Klara Sooronkulova, was assigned to investigate the constitutionality of the plan. The activists argued that until the government is able to guarantee the security of the collected data, it has no right to demand citizens to submit biometric information. In June, a parliamentary lawyer filed a motion to have Sooronkulova removed from the case, claiming she had already stated her opposition to data collection and that she was from the same town as a prominent human rights defender opposed to the measure. Sooronkulova was removed from the case in a 9–8 vote, and shortly before the elections, the Constitutional Chamber ruled the mandatory collection legal.⁵⁹

Corruption

2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
6.00	6.25	6.25	6.50	6.25	6.25	6.25	6.25	6.25	6.25

- Despite rhetoric by President Atambayev, Kyrgyzstan has no unified anticorruption policy. Instead, ad hoc measures are used to prosecute corrupt officials. Shortly after his election in 2011, Atambayev declared corruption to be a top priority and a matter of national security and created a special Anti-Corruption Service (ACS) under the supervision of the GKNB. The president's fight against corruption has touched members of almost every political party but, with the exception of one person, has not affected Atambayev's own allies.
- Several officials were sacked for allegations of corruption in 2015. In August, the Chief of Staff in Atambayev's administration, Daniyar Narymbayev, was accused of extortion in a case involving an MP from Ata Jurt party, Khadjimurat Korkmazov. Korkmazov was also allegedly involved in

extorting \$200,000 from relatives of former MP Nariman Tuleev by promising to influence the Supreme Court's decision on his case.⁶⁰ In 2013, Tuleev was found guilty of embezzling \$1.4 million during his time as mayor of Bishkek between 2008 and 2010 and sentenced to 11 years in prison.⁶¹

- In October, Atambayev sacked Minister of Defense Abibilla Kudaiberdiyev for his alleged involvement in corruption and embezzlement.⁶² The ACS and the Prosecutor General uncovered corruption schemes supposedly operating under Kudaiberdiyev's patronage in 2014. Kudaiberdiyev had allegedly embezzled \$176,400 in government funds by allocating government contracts to three different private companies.
- In February, disagreement with Atambayev's administration led to the resignation of Prosecutor General Aida Salyanova. According to her, progovernment media tried to undermine her public image by accusing her husband of corruption. She also said that she and her relatives received death threats. A close ally of Atambayev, Farid Niyazov, denied that Salyanova was pressured to quit.⁶³ After resigning, Salyanova created her own political party, Kuchtuu Kyrgyzstan (Strong Kyrgyzstan), and later became an MP for the opposition party Ata Meken.
- In 2015, Kyrgyzstan was placed 123rd on Transparency International's Corruption Perceptions Index, improving its score by only one point from the previous year.⁶⁴ The World Bank's *Doing Business 2016* report for Kyrgyzstan was practically unchanged.⁶⁵ The country continues to be a major trade route for drug trafficking enabled by high-level corruption.⁶⁶

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¹ "Kyrgyzstan CEC announces final election results," Inform.kz, 15 October 2015, <http://www.inform.kz/eng/article/2828762>

² Ibid.

³ Marina Skolysheva, "Какими видит правительство и Жогорку Кенеш парламентская коалиция" [How the parliamentary coalition views the government and Supreme Council], Zanoza.kg, 2 November 2015, http://zanoza.kg/doc/327199_kakimi_vidit_pravitelstvo_i_jogorky_kenesh_parlamentskaia_koaliciia.html

⁴ "МИД Кыргызстана: Награждение Госдепартаментом США Азимжана Аскарова наносит серьезный ущерб двусторонним отношениям" [Kyrgyz Foreign Ministry: US State Department Award to Azimzhan Askarov seriously damages bilateral relations], Fergananews.com, 7 July 2015, <http://www.fergananews.com/news/23632>

⁵ Ex. Influential entrepreneur Emil Umetaliyev from Kyrgyz Concept opposes the union. Kayrgul Moldaliyeva, "Эмил Уметалиев, президент предприятия «Кыргыз Концепт»: «Не оправдались надежды на Таможенный союз»" [Emil Umetaliyev, president of the enterprise Kyrgyz Concept: 'Hopes for a Customs Union are not justified'], Gezitter.org, 6 November 2015, http://www.gezitter.org/tamozhennyj_sojuz/45094_emil_umetaliev_prezident_predpriyatiya_kyirgyiz_kontsept_ne_opravdalis_nadejdyi_na_tamojennyiy_soyuz/

⁶ Sebastien Peyrouse, "Kyrgyzstan's Membership in the Eurasian Economic Union: A Marriage of Convenience?" Russian Analytical Digest, 17 March 2015, <http://www.css.ethz.ch/content/dam/ethz/special-interest/gess/cis/center-for-securities-studies/pdfs/RAD-165-10-12.pdf>

⁷ Aidanbek Akmat uulu, "Когда ЕАЭС откроет границы для Кыргызстана?" [When will the EEU open its borders to Kyrgyzstan], Azattyk.org, 7 August 2015, <http://rus.azattyk.org/content/article/27175242.html>

⁸ Samat Jumakadyrov, "Кыргызстан в ЕАЭС. Первая жертва – торговля" [Kyrgyzstan and the EEU. First victim–trade], Azattyk.org, 7 January 2016, <http://rus.azattyk.org/content/article/27473262.html>

⁹ Aiday Masyllkanova, "Is the ISIS Threat in Kyrgyzstan Real?" The Diplomat, 4 August 2015, <http://thediplomat.com/2015/08/is-the-isis-threat-in-kyrgyzstan-real/>

¹⁰ "5 of 9 Runaway Prisoners Detained Outside Bishkek," AKIpress.org, 12 November 2015, <http://www.akipress.com/news:566536/>

-
- ¹¹ “Kyrgyzstan: Prison Break Culminates in Bloody Showdown,” EurasiaNet.org, 22 October 2015, <http://www.eurasianet.org/node/75676>
- ¹² Catherine Putz, “Kyrgyzstan Withdraws from Negotiations over Kumtor Gold Mine,” The Diplomat, 24 December 2015, <http://thediplomat.com/2015/12/kyrgyzstan-withdraws-from-negotiations-over-kumtor-gold-mine/>
- ¹³ Anara Mamytova, “Алмазбек Атамбаев: Июньские события должны стать уроком для всех граждан Кыргызстана” [Almazbek Atambayev: June events should be a lesson to all citizens of Kyrgyzstan], 24.kg, 10 June 2015, http://www.24kg.org/obschestvo/14113_almazbek_atambaev_iyunskie_sobyitiya_doljniy_stat_urokom_dlya_vseh_grajdan_kyrgyzstana/
- ¹⁴ “International Election Observation Mission. Kyrgyz Republic – Parliamentary Elections, October 4, 2015,” Organization for Security and Cooperation in Europe, 5 October 2015, <http://www.osce.org/odihr/elections/kyrgyzstan/189401?download=true>
- ¹⁵ Ibid.
- ¹⁶ Ulugbek Akishev, “Ташиева сняли с выборов после скандала с дракой” [Tashiev eliminated from elections after scandal with brawl], Kloop.kg, 28 September 2015, <http://kloop.kg/blog/2015/09/28/vybory-2015-tashieva-lishili-registratsii-kandidata-posle-skandala-s-drakoj/>
- ¹⁷ “Live Blogging: Выборы в Жогорку Кенеш Кыргызстана” [Live blogging: elections to Kyrgyzstan’s parliament], Azattyk.org, 3 October 2015, <http://rus.azattyk.org/content/live/liveblog/27285159.html>
- ¹⁸ “Согласно рейтингу, ни одна партия не приблизилась к максимальной оценке по продвижению гендерного равенства в политпартиях, – ОО «Агентство социальных технологий»” [According to rating, no party approaches maximum score for advancing gender equality in political parties – NGO Agency of Social Technologies], AKIpress.kg, 6 October 2015, <http://kg.akiexpress.org/news:625052>
- ¹⁹ “Women in national parliaments,” Inter-Parliamentary Union, 31 December 2015, <http://www.ipu.org/wmn-e/classif.htm>
- ²⁰ Aidanbek Akmat uulu, “Выборы обнажили несовершенство законодательства” [Elections expose incompleteness of legal framework], Azattyk.org, 9 October 2015, <http://rus.azattyk.org/content/article/27296492.html>
- ²¹ Ulan Egizbaev, “Пестрый парламент VI созыва” [Motley sixth parliament], Azattyk.org, 2 November 2015, <http://rus.azattyk.org/content/article/27339661.html>
- ²² “«Выборы — 2015»: Дорога в ЖК. Кресло депутата за 5 лет подорожало больше, чем в 3 раза” [‘Elections 2015’: Road to the JK. In five years a deputy’s seat has grown three times as expensive], Tazabek.kg, 5 October 2015, <http://tazabek.kg/news:396740>; “Бывший депутат Жогорку Кенеша рассказал, как формируются списки желающих получить депутатский мандат” [Former deputy of Jogorku Kenesh describes how party lists are formed], AKIpress.kg, 11 November 2015, <http://kg.akiexpress.org/news:626740>
- ²³ Jack Farhy, “Voters Celebrate Kyrgyzstan’s Democratic Experiment,” Financial Times, 4 October 2015, <http://www.ft.com/intl/cms/s/0/7b833598-6a82-11e5-aca9-d87542bf8673.html#axzz3pEpk1waL>
- ²⁴ “Партии тратят миллионы на агитацию, но мы должны знать, что завтра они будут их отрабатывать, – молодежное движение” [Parties are spending millions on campaigns, but we need to know that tomorrow they will make it back, — youth movement], CA-News.org, 29 September 2015, <http://ca-news.org/news:1164631>
- ²⁵ For example, the Coalition for Democracy and Civil Society, an NGO with over 15 years of experience monitoring elections, conducted long-term and short-term monitoring efforts across the country.
- ²⁶ “Кыргызстан: Юрист Н.Токтакунов потребовал от президента извинений” [Kyrgyzstan: Lawyer N. Toktakunov demands that president apologize], Fergananews.com, 14 October 2015, <http://www.fergananews.com/news/23999>
- ²⁷ Eliza Chudubayeva, “Нурбек Токтакунов оценивает свои шансы на суде по биометрии негативно” [Nurbek Toktakunov predicts he has poor chance of success in case about biometrics], Kyrtag.kg, 30 June 2015, <http://kyrtag.kg/society/nurbek-toktakunov-otsenivaet-svoi-shansy-na-sude-po-biometrii-negativno>
- ²⁸ Mahinur Niyazova, “В МВД считают «действия «Кырк чоро» незаконными, о чем уведомили представителей объединения» [Ministry of Interior considers “actions of Kyrk Choro illegal, and has informed representatives of the organization of this], 24.kg, 27 January 2015, http://24.kg/obschestvo/5704_v_mvd_schitayut_deystviya_kyirk_choro_nezakonnymi_o_chem_uvedomili_predstaviteli_obyedineniya/
- ²⁹ Eldiir Arykbaev, “Видео: Как «Кырк чоро» и «Калыс» сорвали мероприятие в честь Дня против гомофобии” [Video: How representatives of Kyrk Choro and Kalys disrupted event in honor of Day against

Homophobia], Kloop.kg, 19 May 2015, <http://kloop.kg/blog/2015/05/19/video-kak-kyrk-choro-i-kalys-sorvali-meropriyatie-v-chest-dnya-protiv-gomofobii/>

³⁰ Ibid.

³¹ Email communication with Labrys activists, January 2016.

³² Kyrgyz Indigo, “News Release: A brief overview of the environment for LGBTI people in Kyrgyzstan for 2015,” 5 February 2016.

³³ Anastasiya Bengard, “В Кыргызстане усиливается давление на правозащитников” [Pressure on human rights defenders increases in Kyrgyzstan], 24.kg, 29 September 2015,

http://www.24.kg/obschestvo/19869_v_kyrgyzstane_usilivaetsya_davlenie_na_pravozaschitnikov/

³⁴ Mahinur Niyazova, “Юрист Нурбек Токтакунов прокомментировал видео, где посол США в КР Ричард Майлз посещает его офис (видео)” [Lawyer Nurbek Toktakunov discusses video in which US Ambassador Richard Miles visits his office], 24.kg, 25 June 2015,

http://24.kg/obschestvo/15042_yurist_nurbek_toktakunov_prokommentiroval_video_gde_posol_ssha_v_kr_richard_maylz_poseschaet_ego_ofis_video/

³⁵ “Кыргызстан из-за угроз покинул гражданский активист, выступавший в поддержку украинского «Евромайдана»” [Civic activist who spoke out in support of Ukrainian ‘Euromaidan’ leaves Kyrgyzstan due to threats], Fergananeews.com, 11 March 2014, <http://www.fergananews.com/news/21926>. The other activist prefers to remain anonymous.

³⁶ Eldiir Arykbaev, “Спецслужбы настаивают на «законности» обыска в домах юристов «Бир Дуйно»” [Security services insist search of homes of Bir Duino lawyers was legal], Kloop.kg, 30 March 2015,

<http://t.co/FiCZ09ZQAd>

³⁷ Aida Jumasheva, “Ошский горсуд удовлетворил жалобу адвокатов "Бир Дуйно" на следователя ГКНБ” [Osh city court upholds complaint of Bir Duino lawyers about GKNB investigation], Vecherny Bishkek, 20 May 2015,

http://www.vb.kg/doc/313580_oshskiy_gorsyd_ydovletvoril_jaloby_advokатов_bir_dyino_na_sledovatelja_gknb.html

³⁸ “Kyrgyzstan: Popular Imam Gets 5-Year Jail Term,” EurasiaNet.org, 8 October 2015,

<http://www.eurasianet.org/node/75461>

³⁹ “Kyrgyzstan Silences Imam with Extremist Charges,” EurasiaNet.org, 17 February 2015,

<http://www.eurasianet.org/node/72116>

⁴⁰ “Кыргызстан: Прокурор требует ужесточить приговор бывшему имаму Рашоду Камалову” [Kyrgyzstan: prosecutor requests harsher sentence for former imam Rashod Kamalov], Fergananeews.com, 12 November 2015,

<http://www.fergananews.com/news/24121>

⁴¹ Olzhas Auyezov and Olga Dzyubenko, “Human Rights Watch says top regional researcher barred from Kyrgyzstan,” Reuters, 4 December 2015, <http://www.reuters.com/article/us-kyrgyzstan-rights-idUSKBN0TN11020151204>

⁴² Multiple interviews with human rights and civil society activists, Bishkek, July 2015.

⁴³ This bill was reviewed by the Committee on Human Rights, Constitutional Legislation and State Building and recommended for consideration by the parliament.

⁴⁴ Catherine Putz, “Kyrgyz Anti-Gay Propaganda Moves Forward,” The Diplomat, 26 June 2015,

<http://thediplomat.com/2015/06/kyrgyz-anti-gay-propaganda-law-moves-forward/>

⁴⁵ Mirlan Almbekov, “Комитет ЖК КР поддержал поправки в закон «О свободе вероисповедания и религиозных организациях в КР»” [Parliamentary committee supports amendments to the law ‘On freedom of religion and religious organizations in the Kyrgyz Republic], Kabar.kg, 20 December 2015,

<http://www.kabar.kg/rus/society/full/24214>

⁴⁶ “А.Атамбаев пообещал, что вскоре откроется ипотечная компания для госслужащих” [A. Atambayev promises that a mortgage company for civil servants will open soon], AKIpress.kg, 3 October 2015,

<http://kg.akipress.org/news:624788>

⁴⁷ Ilim Karypbekov, Facebook post, 13 October 2015,

<https://www.facebook.com/ilim.karypbekov/posts/10153148661518016>, accessed on January 23, 2016.

⁴⁸ “Кыргызстан: В газете «Вечерний Бишкек» массово увольняют сотрудников и меняют редакционную политику” [Kyrgyzstan: The newspaper *Vechernii Bishkek* fires employees en masse, changes its editorial policy], Fergananeews.com, 12 November 2015, <http://www.fergananews.com/news.php?id=23840>

⁴⁹ “Kyrgyzstan: Public television gives presidential party unfair boost,” EurasiaNet.org, 27 September 2015,

<http://www.eurasianet.org/node/75281>

-
- ⁵⁰ Anne Lelik, "Kyrgyzstan: Civic group promotes order on Bishkek's lawless roads," EurasiaNet.org, 7 April 2015, <http://www.eurasianet.org/node/72901>
- ⁵¹ Aizura Chykynova, "В Кыргызстане число пользователей интернета за последние шесть лет увеличилось на 3 млн человек" [Number of internet users in Kyrgyzstan increased by three million in the last six years], Kyrtag.kg, 13 January 2015, <http://kyrtag.kg/news/v-kyrgyzstane-chislo-polzovateley-interneta-za-poslednie-shest-let-uvelichilos-na-3-mln-chelovek/>
- ⁵² Jenish Aidarov, "Кыргызско-таджикская граница: хулиганство переросло в стрельбу" [Kyrgyz-Tajik border: hooliganism turns into shooting], Azattyk.org, 7 July 2015, <http://rus.azattyk.org/content/article/27113633.html>
- ⁵³ Mirzonabi Kholikzod and Masum Mukhammadradzhab, "Житель Чоркуха был убит на границе Таджикистана с Кыргызстаном" [Resident of Chorkuh killed on the border of Tajikistan and Kyrgyzstan], Azattyk.org, 6 July 2015, <http://rus.ozodi.org/content/one-tajik-killed-in-tajik-kyrgyz-border-incident-/27112374.html>
- ⁵⁴ "Построение мира и межэтнического согласия в Кыргызстане" [Building peace and inter-ethnic harmony in Kyrgyzstan], State Agency on Local Government and Interethnic Relations, 30 September 2015, <http://www.gamsumo.gov.kg/ru/news/full/155.html>
- ⁵⁵ "С 12 по 23 Октября 2015 года по Нарынской и Таласской областях Гамсумо проведет районные заседания" [From October 12-23 2015, GAMSUMO will hold regional meetings in Naryn and Talas oblasts], State Agency on Local Government and Interethnic Relations, 6 October 2015, <http://www.gamsumo.gov.kg/ru/news/full/157.html>
- ⁵⁶ "В Кыргызстане создаются свои практикующие сообщества органов местного самоуправления" [Practical associations of organs of local self-government created in Kyrgyzstan], State Agency on Local Government and Interethnic Relations, 11 September 2015, <http://www.gamsumo.gov.kg/ru/news/full/149.html>
- ⁵⁷ "Судебная реформа – революция в законодательстве Кыргызстана" [Judicial reform and revolution in the legislation of Kyrgyzstan], Kabar.kg, 1 October 2015, <http://www.kabar.kg/rus/analytics/full/83645>
- ⁵⁸ Timur Toktonaliev, "Кыргызстан: непотопляемая коррупция" [Kyrgyzstan: Unsinkable corruption], Institute for War and Peace Reporting, 1 August 2015, <http://bit.ly/1UARhYn>
- ⁵⁹ Anna Yalovkina, "Кыргызстан: сомнения в обеспечении независимости конституционным судьям" [Kyrgyzstan: Doubts about independence of the Constitutional Court], Institute for War and Peace Reporting, 26 June 2015, <http://bit.ly/1SuE2je>; "КП признала требование о сдаче биоданных для участия в выборах конституционным" [Constitutional Chamber finds constitutional requirement of providing biometric data for participation in elections], Azattyk.org, 23 September 2015, http://rus.azattyk.org/archive/ky_News_in_Russian_ru/20150923/4795/4795.html?id=27264739
- ⁶⁰ "Правозащитники: В деле Данияра Нарымбаева попораны принципы презумпции невиновности" [Human rights defenders: Presumption of innocence ignored in case of Daniyar Narymbayev], Knews.kg, 12 November 2015, http://www.knews.kg/society/71812_pravozaschitniki_v_dele_daniyara_naryimbaeva_popranyi_printsiipyi_prezump_tsiu_nevinovnosti/
- ⁶¹ "Ex-Bishkek mayor jailed for corruption," Radio Free Europe/Radio Liberty (RFE/RL), 30 July 2013, <http://www.rferl.org/content/kyrgyzstan-bishkek-mayor-corruption/25060829.html>
- ⁶² "Кыргызстан: Министр обороны снят с должности, против него возбуждено уголовное дело" [Kyrgyzstan: Minister of defense removed from office, criminal case opened against him], Fergananews.com, 12 October 2015, <http://www.fergananews.com/news/23989>
- ⁶³ "Салянова: Веская причина моей отставки - отсутствие поддержки президента" [Salyanova: The clear reason for my resignation: lack of support from the president], Azattyk.org, 11 February 2015, <http://rus.azattyk.org/content/article/26841315.html>
- ⁶⁴ Transparency International, "Corruption Perceptions Index 2015," Transparency International, <https://www.transparency.org/cpi2015#results-table>
- ⁶⁵ World Bank, "Doing Business 2016," World Bank, <http://www.doingbusiness.org/~media/GIAWB/Doing%20Business/Documents/Profiles/Country/KGZ.pdf>
- ⁶⁶ Bureau of International Narcotics and Law Enforcement Affairs, "Country Report: Kyrgyzstan, 2015 International Narcotics Control Strategy Report," US Department of State, <http://www.state.gov/j/inl/rls/nrcrpt/2015/vol1/238987.htm>